

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**MELEDIA FREEMAN, AS THE ADMINISTRATOR
OF THE ESTATE OF ALBERT PRITCHARD,
DECEASED AND ON BEHALF OF THE HEIRS
AND BENEFICIARIES**

PLAINTIFFS

V.

NO. 3:14-cv-00097-M-A

**GGNSC BATESVILLE, LLC D/B/A GOLDEN LIVING
BATESVILLE, GOLDEN GATE NATIONAL SENIOR CARE, LLC,
GGNSC EQUITY HOLDINGS, LLC, GGNSC CLINICAL SERVICES, LLC,
GPH BATESVILLE, LLC, GGNSC HOLDINGS, LLC, GGNSC
ADMINISTRATIVE SERVICES, LLC, GEARY PROPERTY HOLDINGS, LLC,
BEVERLY ENTERPRISES, INC., PEARL SENIOR
CARE, LLC AND DRUMMCORP.**

DEFENDANTS

ORDER

On November 4, 2014, defendants filed a supplemental motion to dismiss or compel arbitration, which incorporates important discovery, including the plaintiff's deposition. This supplemental motion clearly supersedes the initial motion to dismiss or compel arbitration filed by defendants, and the initial motion will therefore be dismissed as moot.

The court also has before it a motion filed by defendants Drumm Corp., Pearl Senior Care LLC, and Geary Property Holdings LLC to dismiss for lack of personal jurisdiction. This court has previously granted what are, for all material purposes, identical motions filed by the same defendants, represented by the same counsel, in two other cases. Indeed, as noted by counsel in his brief:

9. Pritchard's complaint is almost identical to two other complaints filed against Moving Defendants by the very same counsel in two other cases, both of which have recently been removed to this Court: *Wanda Hanback, as the Administrator of the Estate of Vera Atwood, deceased and on behalf of her heirs and wrongful death beneficiaries v. GGNSC Southaven, LLC*, et al., 3:13-CV-288-MPM-SAA and *Sammy Gross, as the Administrator*

of the Estate of Pauline Tillman Wagner, deceased and on behalf of her heirs and wrongful death beneficiaries v. GGNSC Southaven, LLC, et al. 3:14-CV-00037-MPM-SAA. Moving Defendants have also filed Motions to Dismiss for lack of personal jurisdiction in both of those cases.

Once again, this court granted the same defendants' motions to dismiss in virtually identical orders entered in *Hanback* and *Gross*, and there is no conceivable basis upon which it might reach a differing result in this case. It will therefore come as no surprise that the present motion to dismiss for lack of personal jurisdiction will be granted, for the reasons stated by this court in *Hanback* and *Gross*.

It is therefore ordered that the original motion to dismiss or compel arbitration filed by defendants is [16-1] dismissed as moot. Defendants Drumm Corp., Pearl Senior Care LLC, and Geary Property Holdings LLC's motion to dismiss for lack of personal jurisdiction [6-1] is granted, and these defendants are hereby dismissed from this action. This dismissal shall not apply to any other defendants.

This the 28th day of January, 2015.

/s/ MICHAEL P. MILLS
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI